



# Searching, Screening and Confiscating Policy

<b>Date of last review:</b>	2021	<b>Review period:</b>	3 Years
<b>Date of next review:</b>	2025	<b>Written by:</b>	Rebecca Garratt
<b>Type of policy:</b>	Non-statutory	<b>Committee:</b>	FGB

The “Searching, Screening and Confiscating Guidance for Schools” issued by the Department of Education in July 2022 states that:

*“Headteachers and staff they authorise have a statutory power to search a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item. Prohibited items are;*

- *Knives and weapons*
- *Alcohol*
- *Illegal drugs*
- *Stolen items*
- *Tobacco and cigarette papers*
- *Fireworks*
- *Pornographic Images*
- *Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage the property of, any person (including the pupil).”*

In addition, the guidance goes on to say that:

*“Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.”*

At Wyre Forest School this prohibited item list is the same as the list above. In addition to this list Wyre Forest School staff are also authorised to search any mobile device that may contain inappropriate images or content.

As a result of this search, this guidance also makes it clear that:

*“School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.”*

In situations involving mobile technology and inappropriate content staff can seize the device and check the content to ensure pupils are safeguarded. The headteacher can also authorise for content to be removed from a mobile device if this content contravenes the schools’ rules. In situations where items are seized there must be two members of staff present to validate the seizure and at least one of these members of staff must be of the same sex as the pupil searched.

Pupils and staff at Russell House have the same rights to be safeguarded and protected outside of school hours and, as such, staff are permitted to act within the procedures listed in this policy.

- 1. If a member of staff believes a pupil has a prohibited item, they must first ask the pupil to hand it over.**
- 2. If the child refuses to, a member of SLT must be contacted.**

3. ***A member of SLT and a member of staff will take the pupil to a suitable area eg: office***
4. ***The pupil must be asked consent for the search – if they say no, a search cannot take place and parents must be contacted immediately as we have a suspicion of a prohibited item.***
5. ***If the pupil agrees, then they can be searched.***
6. ***Wherever possible staff of the same sex should carry out the search***
7. ***The search can be of bags, lockers or the pupil. The pupil must not be asked to remove any clothing other than outer clothing (clothing not work wholly next to the skin)***

*Under common law, school staff have the power to search a pupil for any item if the pupil agrees. The member of staff should ensure the pupil understands the reason for the search and how it will be conducted so that their agreement is informed.*

*Pupils' possessions can only be searched in the presence of the pupil, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately.*

If a staff member suspects a device may contain an indecent image of a child (also known as a nude or semi-nude image), they will:

Not view the image

Confiscate the device and report the incident to the Headteacher immediately, who will decide what to do next. The DSL will make the decision in line with the DfE's latest guidance on [screening, searching and confiscation](#) and the UK Council for Internet Safety (UKCIS) guidance on [sharing nudes and semi-nudes: advice for education settings working with children and young people](#)

Any searching of pupils will be carried out in line with:

The DfE's latest guidance on [searching, screening and confiscation](#)

UKCIS guidance on [sharing nudes and semi-nudes: advice for education settings working with children and young people](#)

Our behaviour policy & searching, screening and confiscation policy

Any complaints about searching electronic devices will be dealt with through the school complaints procedure.

### **Recording and Reporting:**

Where there is suspicion of a prohibited item, or where a search has taken place, it is imperative that this is recorded in full with the reasons for the search and the actual items found. It may be that staff are linking the confiscation of an item to a sanction where this has been related following an incident of challenging behaviour. All instances of the searching of pupils' belongings must be recorded on CPOMS and, in addition, **parents/carers must be informed along with social workers as appropriate.**

The following document provides guidance for Senior Leadership as to whether the incident should be reported to the Police:



**Follow-up:**

It is important that such an incident is not seen in isolation, and that the pupil/s involved are given an opportunity to discuss the procedure with a trusted adult afterwards. This should focus on why the incident occurred, contextualized safeguarding concerns and how to safeguard the pupil in the future.

There may be a need to support and educate the pupil further via targeted PSHCE lessons.